

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROANNE HOLMAN; NARCISCO NAVARRO
HERNANDEZ; MIGUEL A. ALVAREZ; and
all others similarly situated,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.,

Defendant.

No. C 11-0180 CW

ORDER GRANTING
PLAINTIFFS'
ADMINISTRATIVE
MOTION TO FILE
PUBLICLY THEIR
UNREDACTED
MEMORANDUM IN
SUPPORT OF THEIR
MOTION FOR CLASS
CERTIFICATION AND
DENYING THEIR
MOTION TO FILE
UNDER SEAL
(Docket Nos. 80
and 83)

Plaintiffs Roane Holman, Narcisco Navarro Hernandez and Miguel A. Alvarez have filed motions seeking leave to file under seal their unredacted memorandum in support of their motion for class certification or alternatively to file their unredacted memorandum in the public record. Plaintiffs represent that the memorandum references exhibits that Defendant Experian Information Solutions, Inc., has designated as confidential. Plaintiffs argue that their class certification motion should be considered a dispositive motion.

Because the public interest favors filing all court documents in the public record, any party seeking to file a document under seal must demonstrate good cause to do so. Pintos v. Pac. Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). When the filing is connected to a dispositive motion, the party pursuing sealing "must overcome a strong presumption of access by showing that 'compelling reasons supported by specific factual

1 findings . . . outweigh the general history of access and the
2 public policies favoring disclosure.'" Id. at 679 (citation
3 omitted). Neither standard can be met simply by showing that the
4 document is subject to a protective order or by stating in general
5 terms that the material is considered to be confidential, but
6 rather must be supported by a sworn declaration demonstrating with
7 particularity the need to file each document under seal. See
8 Civil Local Rule 79-5(a). If a document has been designated as
9 confidential by another party, that party must file a declaration
10 establishing that the document is sealable. Civil Local Rule
11 79-5(d).

12 Defendant has not filed a declaration in support of
13 Plaintiffs' motion to seal the unredacted memorandum. Defendant
14 has also not filed any response or opposition to Plaintiffs'
15 motion to file the memorandum in the public record.

16 Accordingly, Plaintiffs' motion to seal the unredacted
17 memorandum is DENIED (Docket No. 83) and Plaintiffs' motion to
18 file the unredacted memorandum in the public record is GRANTED
19 (Docket No. 80). Within three days of the date of this Order,
20 Plaintiffs shall electronically file their unredacted memorandum
21 in support of their motion for class certification in the public
22 record.

23 IT IS SO ORDERED.

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25 Dated: 1/4/2012

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CLAUDIA WILKEN
United States District Judge